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Claim 1 calls for 0.08 to 0.11 molar percent of As_2O_3 . The Examiner acknowledges that Stookey employs Sb_2O_3 as a fining agent, rather than As_2O_3 . In fact, there is no arsenic in any of the examples disclosed in Stookey. Nevertheless, the Examiner relies on Moffatt to demonstrate that Sb_2O_3 and As_2O_3 are both known in the art as fining agents. From this, he concludes that substitution of one for the other would be obvious.

In reaching this conclusion, perhaps the Examiner has overlooked the fact that Stookey specifically forbids use of arsenic. At column 2, lines 40-46, Stookey states:

It is essential that the presence of materials which strongly absorb ultraviolet radiations be avoided. Such absorptive constituents include . . . oxides of arsenic . . .

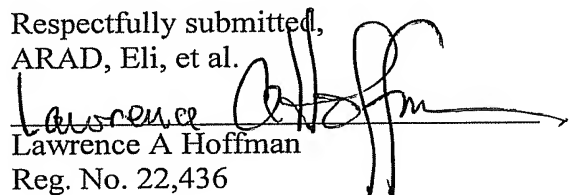
In view of this express teaching away from the combination proposed by the Examiner, an argument that substitution or addition of arsenic oxide in Stookey would be obvious is *prima facie* improper. Accordingly, claim 1 and its dependent claims 2-5 are patentable over the art cited by the Examiner and the rejection of these claims should be withdrawn.

With respect to the rejection of claim 6, it also requires the presence of arsenic oxide. As explained above, Stookey expressly teaches against use of arsenic oxide. Irrespective of what Bartholomew may teach, rejection of claim 6 and its dependent claims 8 and 10-11 is improper to the extent that it is based on the combination of Stookey and Moffatt. Accordingly, these claims are also patentable over the art cited and the rejection should be withdrawn.

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In view of the foregoing, allowance of the application is respectfully solicited.

Respectfully submitted,
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